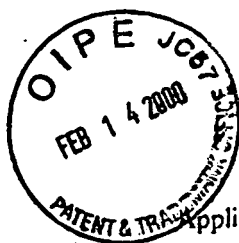


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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lloyd Fladgard and Scott Fladgard  
Attorney's Docket No.: 730093.404  
Application No.: 09/036,249  
Filed: March 6, 1998  
For: HAND-HELD CUTTING TOOL FOR CUTTING  
FIBER-CEMENT SIDING

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 C.F.R. §§ 1.9(f) AND 1.27(c)) -- SMALL BUSINESS CONCERN**

I declare that I am:

- ☐ the owner of the small business concern identified below.  
☒ an official of the small concern empowered to act on behalf  
of the concern identified below.

NAME OF CONCERN: Pacific International Tool & Shear, Ltd.

ADDRESS OF CONCERN: P.O. Box 1604  
Kingston, Washington 98346

I declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.3-18 and reproduced in 37 C.F.R. § 1.9(d) for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and 41(b) in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I declare that rights under contract or law have been conveyed to and remain with the small business concern with regard to the invention entitled:

**HAND-HELD CUTTING TOOL FOR CUTTING FIBER-CEMENT SIDING**

by inventors: Lloyd Fladgard and Scott Fladgard  
as described in:

- ☐ the specification filed herewith.  
☒ Application No. 09/036,249, filed March 6, 1998  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

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If the rights held by the small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(c).\*

\*NOTE: Separate verified statements are required from each named person, concern and organization having rights to the invention averring to his/its status as a small entity. (37 C.F.R. § 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

- ☐ individual  
☐ small business concern  
☐ nonprofit organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

- ☐ individual  
☐ small business concern  
☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Scott Fladgard

TITLE OF PERSON OTHER THAN OWNER: Vice President

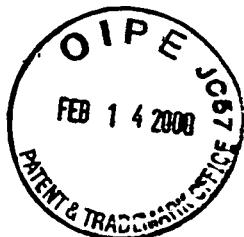
ADDRESS OF PERSON SIGNING: P.O. Box 1604

Kingston, Washington 98346

SIGNATURE: 

DATE: 9/9/98

\\uwsr\kristinco\p\pkko\730093\0032



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## DECLARATION AND POWER OF ATTORNEY

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "HAND-HELD CUTTING TOOL FOR CUTTING FIBER-CEMENT SIDING," which is described and claimed in the specification and claims of Patent Application No. 09/036,249, which we filed in the United States Patent and Trademark Office on March 6, 1998 and for which a patent is sought.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We hereby appoint RICHARD W. SEED, Reg. No. 16,557; ROBERT J. BAYNHAM, Reg. No. 22,846; EDWARD W. BULCHIS, Reg. No. 26,847; GEORGE C. RONDEAU, JR., Reg. No. 28,893; DAVID H. DEITS, Reg. No. 28,066; WILLIAM O. FERRON, JR., Reg. No. 30,633; PAUL T. MEIKLEJOHN, Reg. No. 26,569; DAVID J. MAKI, Reg. No. 31,392; RICHARD G. SHARKEY, Reg. No. 32,629; DAVID V. CARLSON, Reg. No. 31,153; MAURICE J. PIRIO, Reg. No. 33,273; KARL R. HERMANN, Reg. No. 33,507; DAVID D. MCMASTERS, Reg. No. 33,963; ROBERT IANNUCCI, Reg. No. 33,514; MICHAEL J. DONOHUE, Reg. No. 35,859; CHRISTOPHER J. DALEY-WATSON, Reg. No. 34,807; STEVEN D. LAWRENZ, Reg. No. 37,376; ROBERT G. WOOLSTON, Reg. No. 37,263; ELLEN M. BIERMAN, Reg. No. 38,079; BRYAN A. SANTARELLI, Reg. No. 37,560; CAROL NOTTENBURG, Reg. No. 39,317; CRAIG S. JEPSON, Reg. No. 33,517; PAUL T. PARKER, Reg. No. 38,264; JOHN C. STEWART, Reg. No. 40,188; DAVID W. PARKER, Reg. No. 37,414; BRIAN G. BODINE, Reg. No. 40,520; FRANK ABRAMONTE, Reg. No. 38,066; E. RUSSELL TARLETON, Reg. No. 31,800; FREDERICK M. FLIEGEL, Reg. No. 36,138; JAN C. L. MAXWELL, Reg. No. 41,181; THOMAS L. EWING, Reg. No. 34,328; CLIFTON G. GREEN, Reg. No. 41,044; KEVIN S. COSTANZA, Reg. No. 37,801; DALE C. BARR, Reg. No. 40,498; KEVIN S. ROSS, Reg. No. P-42,116; PAUL F. RUSYN, Reg. No. P-42,118; JOHN M. WECHKIN, Reg. No. P-42,216; THOMAS E. LOOP, Reg. No. P-42,810; STEPHEN J. ROSENMAN, Reg. No. P-43,058; and BRIAN L. JOHNSON, Reg. No. 40,033, comprising the firm of SEED AND BERRY LLP, 6300 Columbia Center, Seattle,

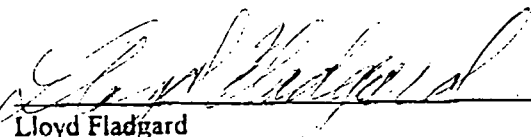
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Washington 98104-7092, as our attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

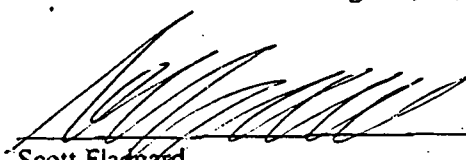
Please direct all telephone calls and correspondence to:

Paul T. Parker  
SEED and BERRY LLP  
6300 Columbia Center  
701 Fifth Avenue  
Seattle, Washington 98104-7092  
(206) 622-4900 and telecopies to (206) 682-6031

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

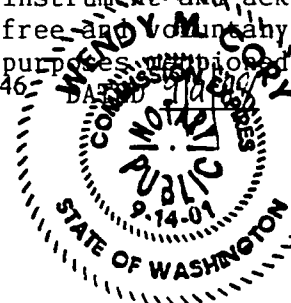
  
Lloyd Fladgard  
Date 9/2/98  
Residence : City of Kingston, County of Kitsap  
State of Washington  
Citizenship : United States of America  
P.O. Address : 27587 Heavenly Place N.E.  
Kingston, Washington 98346

STATE OF WASHINGTON )  
County of Kitsap ) ss.  
I, Laura Duguid,  
do hereby certify that the persons whose names are  
acknowledged in the foregoing instrument are the  
persons who executed the same.  
My commission expires 11-02-00

  
Scott Fladgard  
Date 9/9/98  
Residence : City of Kingston, County of Kitsap  
State of Washington  
Citizenship : United States of America  
P.O. Address : P.O. Box 1184  
Kingston, Washington 98346

I certify that I know or have satisfactory evidence that SCOTT FLADGARD is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Users: kristinco\ptpkko\730093\0031 (730093.404)

  
Wendy M. Cress  
NOTARY PUBLIC  
IN & FOR KITSAP CO  
Exp 9/14/01